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RUCNDT/USMISSION USUN NEW YORK 0381
RUEHVEN/USMISSION USOSCE 1670
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C O N F I D E N T I A L SECTION 01 OF 03 ASHGABAT 000910

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DEPT FOR SCA/CEN (PERRY)

E.O. 12958: DECL: 08/25/2016

TAGS: PGOV PHUM PREL TX

SUBJECT: OSCE ON THE MYRADDOVA CASE

REF: A. TROUTMAN-PERRY 8/24/06 E-MAIL

1B. ASHGABAT 840

1C. ASHGABAT 698

1D. ASHGABAT 652

Classified By: Charge d'Affaires Jennifer L. Brush for reasons 1.4 (B) and (D).

Summary

11. (C) OSCE's Human Dimension Officer Benjamin Moreau on August 24 passed embassy a transcript of meetings he has had with family members of the three Turkmenistan Helsinki Foundation activists charged in July of weapons possession (scanned copies have been emailed to the SCA/CEN, per ref a).

The transcript bears out embassy's suspicions that there may be more to the case than prosecution of human rights activists. At least two of the three have previous criminal convictions -- one for heroin possession, and the other for bribery -- and reportedly the two main suspects have confessed to their attorneys that they, in fact, did have ammunition in their possession when they were arrested. The transcript also details the frequent contacts that all three detainees have had with their attorneys, and the almost scrupulous care with which the government is proceeding with this case. End Summary.

Access to Legal Counsel

12. (C) Moreau (please protect strictly) passed embassy on August 24 a transcript of his meetings with family members of Turkmenistan Helsinki Foundation activists Ogulspapar Myradova, Annakurban Amanklichev and Sapardurdy Hajiyev (also spelled Khajyev). The transcript, which begins with the release from detention of Myradova's two daughters on July 6, provides new -- and occasionally contradictory -- information regarding the case and the three defendants.

13. (SBU) Upon their release from detention, Myradova's two daughters were advised by their uncle, former Central Bank Deputy Chairman Annadurdy Hajiyev (who was charged in absentia of embezzlement) to contact international organizations in Ashgabat. (Note: Hajiyev currently is living in Bulgaria and heads the Turkmenistan Helsinki

Initiative there. End Note.) Both were dismissed from their jobs on the day they were released; their labor books show that both were laid off at their own request (a stratagem frequently used here by companies to lay off family members of detained individuals). Maral Nurmuradova, the older daughter, had been hired as an architect by the Turkish construction company "Belda Insaat Taahhut Tijaret Limited Sirketi" on April 11 2006. Sona Muradova worked as an accountant in the state-owned company "Turkmenvneshtrans" since October 20, 2003.

¶4. (SBU) On July 11, the two Myradova daughters brought the brother of Annakurban Amanklichev, Aman Amanklichev, to OSCE. Aman expressed his intention to use his brother's case to criticize the regime. The next day, the two Myradova daughters returned to OSCE, stating they wanted to distance themselves from Aman, because he wanted to put the blame entirely on their mother. On July 14, the daughters reported to Moreau that they had hired a lawyer for their uncle, Sapardury Hajiiev, who had met with his client on July 13. Muradova's lawyer had also met with his client a few days earlier, and found her healthy.

Worked for the Police

¶5. (SBU) On July 18, Aman Amanklichev reported to Moreau that he had hired a defense lawyer for his brother, and that the attorney had met with both the investigator-in-charge of the case, Toily Durdyev, and with his client on July 17. In the lawyer's opinion, Annakurban had looked healthy and had made no complaints about either his state of health or detention conditions. Aman told Moreau that he had passed

ASHGABAT 00000910 002 OF 003

food, clothes, books and cigarettes on July 1 and 5. The lawyer confirmed that he was to be allowed to see Annakurban as many times as he wanted. Certain international NGOs had offered to send money to pay for Annakurban's legal services.

Aman also indicated that his brother had been a geography teacher, and had subsequently worked in the Ministry of National Security for a short time, before he resigned. Shortly later, Annakurban had been convicted of taking a bribe to facilitate the release of a detainee. Apparently, he could not fulfill his promise, and was arrested after the aggrieved relative filed a criminal case against him. Annakurban was sentenced to five years' imprisonment, but President Niyazov pardoned him in the annual amnesty one year later. Aman also stated that he himself worked as a taxi driver, though he used to work for the Ministry of Communications and National Radio and Television Company.

¶6. (SBU) On July 19, the two Myradova daughters again returned to OSCE. They said they had passed packages of food and clothing to their mother on July 7 and 12, and that Myradova's attorney was visiting his client at least two times a week. The attorney had been permitted to participate in the investigatory investigations and had read some materials, such as interrogation protocols, from the criminal case files. The attorney believed that the case against Myradova was questionable and contained a number of inconsistencies. The two Myradova daughters also reported that their uncle, Hajiiev, had received food and clothing on July 7, and that he had access to his attorney. Separately, Aman Amanklichev said that 13 relatives had lost their jobs or study places after Annakurban's arrest.

¶7. (SBU) During a visit to OSCE on July 24, Myradova's daughters said that their mother had been charged of weapons possession and complained that they had not been able to visit her. (Note: According to Turkmenistan's Criminal Code, such visits, which may only take place once a month, must be approved by the investigator. End Note.) On July 25, Aman Amanklichev lodged a formal complaint, in which he stated that he was taking money from a human rights NGO in France to cover Annakurban's legal fees. He also said that a

14th member of his family had just lost her job.

Intent to Sell Ammunition, Prior Drug Bust

¶8. (SBU) On July 28, Sona Myradova told Moreau that Hajiyev's attorney had said that his client had confessed that he had accepted bullets from Annakurban Amanklichev and kept them at his home. Hajiyev and Amanklichev had planned to sell the bullets. Myradova's lawyer also said that either Amanklichev or Hajiyev had been aware of the plan to sell the bullets, but had not admitted her involvement. Sona Myradova also indicated that her uncle, a former police officer, had been sentenced for drug possession. While serving his sentence, he had become acquainted with Annakurban Amanklichev. Hajiyev had been released during an amnesty a couple of years ago, and had remained friends with Amanklichev. The next day, Sona took to OSCE a number of documents stating that Hajiyev had been sentenced on December 24, 2002 to nine years' prison for illegal possession and storage of heroin with the intent to sell. Hajiyev and Amanklichev had been released during the same amnesty in November 2003.

¶9. (SBU) Also on July 29, Aman Amanklichev reported that a newly hired lawyer had already met with Annakurban Amanklichev in the presence of the investigator. According to Annakurban, Hajiyev had confessed that he had found the bullets in his "dacha" and had given them to Annakurban; Myradova had been aware of this. The lawyer also confirmed that Annakurban seemed to be in satisfactory health. The lawyer passed through the investigator a letter to Annakurban from his wife.

¶10. (SBU) The two Myradova daughters met with Moreau on July 31 and August 1, with little new information, other than to say that their mother's case had been upgraded to "criminal complicity" in weapons possession. During an August 3

ASHGABAT 00000910 003 OF 003

meeting, Aman Amanklichev reported that his brother had confessed, according to one defense attorney, that he had received ammunition from Hajiyev; Myradova continued to plead innocence. Aman also said that he had been told that the three detainees might also be charged with espionage and high treason.

¶11. (SBU) On August 4, Aman Amanklichev again visited OSCE. According to Aman, Annakurban's defense attorney had stated that her client had confessed to possession of ammunition, though he continued to maintain that he had nothing to do with the ammunition. The attorney told Aman that Annakurban had probably reached a plea-bargain deal with the authorities. The defense attorney also confirmed that Annakurban had acknowledged to him that Annakurban had filmed prison facilities for a foreign television program, and that he had done so in order to earn some money for his family. The attorney had passed a new letter to Annakurban from his wife, and his client had stated that he was not being tortured or ill-treated, and had asked for books, newspapers and playing cards. Finally, Aman told Moreau, a 15th family member had been fired.

¶12. (SBU) On August 7, Myradova's daughters and Annakurban Amanklichev's wife visited OSCE. Myradova's daughters said that their mother's attorney had not seen his client since July 17, and their requests to see their mother had been unanswered. Amanklichev's wife said that she had "voluntarily" quit her job after her husband's arrest and was left without any livelihood. The two Myradova daughters returned to OSCE on August 8, and said that an indictment against their mother was pending and that their mother's attorney had participated in a confrontation between Myradova and Hajiyev. The latter had confessed in the presence of Myradova, the lawyer and the investigator that he had found the bullets in his dacha, brought the ammunition to

Myradova's home and handed it over to Amanklichev. Myradova had stated that she had no knowledge of the transaction. Myradova also told her lawyer that she had not been ill-treated in detention.

¶13. (SBU) The two Myradova daughters visited OSCE again on August 11, requesting OSCE's assistance in getting money that they had received from abroad to Amanklichev's wife. They also confirmed that the indictment was pending, and that the trial could start as early as August 21. (Note: The trial is scheduled for 10:00 am August 25. End Note.) On August 15, Amanklichev's wife visited OSCE, saying that Aman Amanklichev had forced her and her three children out of the house, and that she had nowhere to go. Moreau told her that she could not be forcibly evicted from the house, since she had a valid permit to live there. According to the Moreau, the permit could only be cancelled at her request or by a court decision.

Comment

¶14. (C) The Government of Turkmenistan implicated Moreau, along with French Charge d'Affaires, Henri Tomasini, when the case first went public. Moreau has kept meticulous notes of his conversations with the relatives ever since. His transcript fills in a number of questions about the case and confirms our suspicion that this is not a normal prosecution of human rights advocates. Most suspicious are the less-than-pristine backgrounds of at least two of the three detainees, and the uncharacteristically scrupulous care taken by the authorities to ensure that this case proceeds according to the letter of the law. As embassy has reported previously, enough stinks about this case to make it an undesirable cause celebre for legitimate human rights advocates. End Comment.

BRUSH